



BOARD OF ZONING ADJUSTMENTS

Draft Agenda

March 9, 2014

MEETING INFORMATION

Location

City Council Chambers

1st Floor, City Hall
1300 Perdido Street
New Orleans, Louisiana

Time

10:00 a.m.

Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Denise C. Puente

Andrew P. Sanchez, Jr.

Thomas McCall Screen

Alyssa Wenck Rambeau

Jaime Ramiro Diaz

The general public cannot speak
with the members personally.

The Board of Zoning Adjustments consists of seven citizen members appointed by the Mayor and approved by the City Council. The City Charter grants the Board the power to permit exceptions to or variations from the City's zoning regulations and to hear decision appeals from the Director of the Department of Safety and Permits in accordance with the principles, conditions, and procedures set forth in Article 14 of the City's Comprehensive Zoning Ordinance. The decision made by the Board will be provided in the form of a resolution. The resolution should be produced by **March 19, 2014**.

General Rules of Order

Robert's Rules of Order govern the conduct of the meeting. Any member of the public may speak on any matter before the Board. If you wish to appear before the Board, please fill out a Speaker Card and place it in the Lucite box in the far wall in the Council Chambers. When you are recognized by the Chairperson, state your name and address and speak directly into the microphone.

Appeals

Any person or persons, or any officer, department, commission, board, bureau, or any other agency of the City of New Orleans jointly or singularly aggrieved by any decision of the Board of Zoning Adjustments may present to the Civil District Court of the Parish of Orleans, within thirty (30) days after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

This is the Draft Agenda

Should you wish to view an application you may do so online at onestopapp.nola.gov. The requested waivers are subject to change prior to the hearing. Should you wish to submit comments on any of the matters included in the agenda, you may do so in the following ways:

e-mail – CPCinfo@nola.gov or the planner listed on the agenda
Mail – 1340 Perdido Street Room 7W03, New Orleans, Louisiana 70112
Fax – 504-658-7032

All written correspondence should include the docket number and be made to the attention of the Staff of the Board of Zoning Adjustments. The deadline for public comment is **no later than 5:00 p.m. on the Monday before the meeting**

A. Call to Order and Roll Call, Adoption of Minutes and Reading of Hearing Rules

B. BZA Dockets – Unfinished Business

ITEM 1 – Docket Number: 235-14

Applicant or Agent: Supreme Council of the 33rd Degree Freemasons/LA
Property Location: 3200 St. Bernard Avenue **Zip:** 70119
Bounding Streets: St. Bernard Ave., Frey Pl., & Florida Ave.
Zoning District: B-1 Neighborhood Business District
Historic District: N/A **Planning District:** 4
Existing Use: Mixed-Use **Square Number:** W
Proposed Use: Mixed-Use **Lot Number:** Undesignated Lot
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request Citation: This request is for variances from the provisions of Article 5, Section 5.4.7 (Table 5.D), Article 15, Section 15.2.1 (Table 15.A), and Article 15, Section 15.2.3(4) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a mixed-use structure (Masonic temple/office) with excessive height, insufficient off-street parking, and uncovered and unenclosed parking in the front yard.

Requested Waivers:

Section 5.4.7 (Table 5.D) – Maximum Height

Required: 40' Provided: 48'-6" Waiver: 8'-6"

Section 15.2.1 (Table 15.A) – Off-Street Parking

Required: 66 Spaces Provided: 38 Spaces Waiver: 28 Spaces

Section 15.2.3(4) – Parking in Front Yards

Required: Covered and Enclosed
 Provided: Uncovered and Unenclosed
 Waiver: Covered and Enclosed



ITEM 2 – Docket Number: 013-15

Applicant or Agent: Patrick D. Crain
Property Location: 2721 St. Charles Avenue **Zip:** 70130
Bounding Streets: St. Charles Ave., Fourth St., Carondelet St., & Washington Ave.
Zoning District: RM-2A Multiple-Family Residential District
Historic District: St. Charles Avenue Local Historic **Planning District:** 2
Existing Use: Multi-Family Residence **Square Number:** 230
(6 Dwelling Units)
Proposed Use: Multi-Family Residence **Lot Number:** 3-B
(6 Dwelling Units)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.5.12(1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of an accessory office structure with insufficient side yard width.

Requested Waiver:**Section 15.5.12(1) – Accessory Buildings and Structures (Side Yards)**

Required: 3' Provided: 0' Waiver: 3'

**ITEM 3– Docket Number: 014-15**

Applicant or Agent: Theodore L. Wong
Property Location: 4714 Coliseum Street **Zip:** 70115
Bounding Streets: Coliseum St., Valence St., Chestnut St., & Bordeaux St.
Zoning District: RD-2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 293
Proposed Use: Single-Family Residence **Lot Number:** 16

Request Citation: This request is for variances from the provisions of Article 15, Section 15.2.3, and Article 15, Section 15.6.6 of the Comprehensive Zoning Ordinance.

Request: This request is to permit one (1) parking space in the front yard and excessive paving of the required front yard area. **(AFTER THE FACT)**

Requested Waivers:**Section 15.2.3 – Parking in Front Yards**

Required: 0 Spaces Provided: 1 Space Waiver: 1 Space

Section 15.6.6 – Limitation of Pavement of Required Front Yard Areas

Required: ≤ 40% Provided: 61% (267 sq. ft.) Waiver: 21% (91 sq. ft.)



ITEM 4 – Docket Number: 016-15

Applicant or Agent: Charles Neyrey & Patrick Brewster
Property Location: 613-615 Dufossat Street **Zip:** 70115
Bounding Streets: Dufossat St., Annunciation St., Laurel St., & Soniat St.
Zoning District: RM-2 Multiple-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Multi-Family Residence **Square Number:** 137
(4 Dwelling Units)
Proposed Use: Two-Family Residence **Lot Number:** 18
Project Planner: Editha Amacker (evamacker@nola.gov)

Request Citation: This request is for a variance from provisions of Article 4, Section 4.9.7 (Table 4) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a two-family residence with insufficient front yard depth.

Requested Waiver:**Section 4.9.7 (Table 4.I) – Minimum Depth of Front Yard**

Required: 20' Provided: 6' Waiver: 14'

**ITEM 5 – Docket Number: 018-15**

Applicant or Agent: Michael Petitto, Lori Petitto, & Stanley Seeling
Property Location: 241 West Harrison Avenue **Zip:** 70124
Bounding Streets: W. Harrison Ave., Pontchartrain Blvd., 26th St., & Fleur de Lis Ave.
Zoning District: LB-1 Lake Area Neighborhood Business District
Historic District: N/A **Planning District:** 5
Existing Use: Paint Store **Square Number:** 15
Proposed Use: Restaurant **Lot Number:** 38, 39, & 40
Project Planner: Kelly Butler (kgbutler@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance

Request: This request is to permit the conversion of a paint store into a restaurant with insufficient off-street parking.

Requested Waiver:**Section 15.2.1 (Table 15.A) – Off-Street Parking**

Required: 22 Spaces Provided: 5 Spaces (9 grandfathered) Waiver: 8 Spaces



C. BZA Dockets – New Business**ITEM 6 – Docket Number: 023-15**

Applicant or Agent: Thomas De Rose, Barry Sartin, Carol Sartin, George Sartin
Property Location: 6616-6618 General Haig Street **Zip:** 70124
Bounding Streets: General Haig St., Porteous St., Argonne Blvd., & Filmore Ave.
Zoning District: LRS-1 Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** 156
Proposed Use: Single-Family Residence **Lot Number:** 29 & 30
Project Planner: Nicholas Kindel (njkindel@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.5.7(1b) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the placement of a mechanical platform in the side yard area with less than two feet (2') open to the sky between the farthest projection and the lot line. **(AFTER THE FACT)**

Requested Waivers:**Section 15.5.7(1b) - Yards and Open Space (Open to the Sky)**

Required: 2' Provided: 1' - 6" Waiver: 6"

**ITEM 7 – Docket Number: 024-15**

Applicant or Agent: Waffle House, Inc.
Property Location: 2500-2506 Canal Street **Zip:** 70119
Bounding Streets: Canal St., N. Rocheblave St., Cleveland Ave., & S. Dorgenois St.
Zoning District: RO-1 General Office District
Historic District: N/A **Planning District:** 4
Existing Use: Vacant **Square Number:** 580
Proposed Use: Restaurant **Lot Number:** Proposed Lot 1A
Project Planner: Dubravka Gilic (dgilic@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.3 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the location of ten (10) off-street parking spaces in the required front yard.

Requested Waiver:**Section 15.2.3 - Parking in Front Yards**

Required: 0 Spaces Provided: 10 Spaces Waiver: 10 Spaces



ITEM 8 – Docket Number: 025-15

Applicant or Agent: Antoine Saacks
Property Location: 831 Bordeaux Street **Zip:** 70115
Bounding Streets: Bordeaux St., Magazine St., Valence St., Constance St.
Zoning District: B-2 Neighborhood Business District
Historic District: N/A **Planning District:** 3
Existing Use: Two-Family Residence **Square Number:** 199
Proposed Use: Veterinary Clinic **Lot Number:** A
Project Planner: Stephen Kroll (skroll@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the conversion of a two-family dwelling into a veterinary clinic with insufficient off-street parking.

Requested Waiver:**Section 15.2.1 (Table 15.A) – Off-Street Parking**

Required: 4 Spaces Provided: 2 Spaces (1 Grandfathered) Waiver: 2 Spaces

**ITEM 9 – Docket Number: 026-15**

Applicant or Agent: Jessica Becker, Aran Toshav, Rebecca Friedman
Property Location: 1472 Calhoun Street **Zip:** 70118
Bounding Streets: Calhoun St., Garfield St., Exposition Blvd., & Hurst St.
Zoning District: RD-2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Two Single-Family Residences **Square Number:** 60BV
Proposed Use: Single-Family Residence **Lot Number:** N
Project Planner: Kelly Bulter (kgbutler@nola.gov)

Request Citation: This request is for variances from the provisions of Article 15, Section 15.5.12(4) of the Comprehensive Zoning Ordinance.

Request: To permit the expansion of an existing accessory structure that exceeds the permitted height.

Requested Waivers:**Section 15.5.12(4) - Accessory Building and Structures Height**

Required: 14' Provided: 22' Waiver: 8'



ITEM 10 – Docket Number: 027-15

Applicant or Agent: Glenn Metz
Property Location: 2412 Verbena Street **Zip:** 70122
Bounding Streets: Verbena St., Clematis St., Gladiolus St., & Iris St.
Zoning District: RD-2 Two-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Single-Family Residence **Square Number:** 30
Proposed Use: Single-Family Residence **Lot Number:** 18
Project Planner: Larry Massey (lwmassey@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the elevation of a single-family residence, resulting in the loss of a required off-street parking space. **(AFTER THE FACT)**

Requested Waiver:**Section 15.2.1 (Table 15.A) - Off-Street Parking**

Required: 1 Space Provided: 0 Spaces Waiver: 1 Space

**ITEM 11 – Docket Number: 028-15**

Applicant or Agent: Jermaine Anthony
Property Location: 11136 Will Stutley Drive **Zip:** 70128
Bounding Streets: Will Stutley Dr., Nottingham Dr., Pressburg St., & Wright Rd.
Zoning District: RS-2 Single-Family Residential District
Historic District: N/A **Planning District:** 9
Existing Use: Single-Family Residence **Square Number:** K
Proposed Use: Single-Family Residence **Lot Number:** 12
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is to waive two (2) required off-street parking spaces that were eliminated as the result of an unpermitted renovation. **(AFTER THE FACT).**

Requested Waiver:**Section 15.2.1 (Table 15.A) - Off-Street Parking**

Required: 2 Spaces Provided: 0 Spaces Waiver: 2 Spaces



ITEM 12 – Docket Number: 029-15

Applicant or Agent: Daniel Zangara, Joe Aluisse
Property Location: 2334-2336 Valence Street **Zip:** 70115
Bounding Streets: Valence St., La Salle St., Upperline St., & S. Liberty St.
Zoning District: RD-2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Vacant **Square Number:** 567
Proposed Use: Two-Family Residence **Lot Number:** 10-A
Project Planner: Stephen Kroll (skroll@nola.gov)

Request Citation: This request is for variances from the provisions of Article 4, Section 4.5.7 (Table 4.E) and Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is in conjunction with Subdivision Docket 181/14 , to permit the creation of a lot with insufficient minimum lot width and insufficient minimum lot area, and to permit the construction of a two-family residence with insufficient off-street parking.

Requested Waivers:**Section 4.5.7 (Table 4.E) – Minimum Lot Area**

Required: 5,000 sq. ft. Provided: 3,685 sq. ft.

Waiver: 1,315 sq. ft.

Section 4.5.7 (Table 4.E) – Minimum Lot Width

Required: 50' Provided: 33'-6"

Waiver: 16'-6"

Section 15.2.1 (Table 15.A) – Off-Street Parking

Required: 2 Spaces Provided: 0 Spaces

Waiver: 2 Spaces

**ITEM 13 – Docket Number: 030-15**

Applicant or Agent: Andrew Williams, Katie Williams, Del Cid Auto Repairs, Inc.
Property Location: 1113 N. Broad Street **Zip:** 70119
Bounding Streets: N. Broad St., Belle Chasse St., Crete St., & Orchid St.
Zoning District: B-1 Neighborhood Business District
Historic District: Esplanade Ridge **Planning District:** 4
Existing Use: Vacant lot **Square Number:** 350
Proposed Use: Single-Family Residence **Lot Number:** Proposed Lot 2A
Project Planner: Brooke Perry (btperry@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 4, Section 4.8.7 of the Comprehensive Zoning Ordinance.

Request: This request is in conjunction with Subdivision Docket 166/14, to permit the creation of a lot with insufficient minimum lot depth.

Requested Waiver:**Section 4.8.7 (Table 4.H) – Minimum Lot Depth**

Required: 90' Provided: 87'-11"

Waiver: 2'-1"

ITEM 14 – Docket Number: 031-15

Applicant or Agent: Andrew Williams, Katie Williams, Del Cid Auto Repairs, Inc.
Property Location: 1113 N. Broad Street **Zip:** 70119
Bounding Streets: N. Broad St., Belle Chasse St., Crete St., & Orchid St.
Zoning District: B-1 Neighborhood Business District
Historic District: Esplanade Ridge **Planning District:** 4
Existing Use: Vacant lot **Square Number:** 350
Proposed Use: Single-Family Residence **Lot Number:** Proposed Lot 1A
Project Planner: Brooke Perry (btperry@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 4, Section 4.8.7 of the Comprehensive Zoning Ordinance.

Request: This request is in conjunction with Subdivision Docket 166/14, to permit the creation of a lot with insufficient minimum lot depth.

Requested Waiver:**Section 4.8.7 (Table 4.H) – Minimum Lot Depth**

Required: 90'

Provided: 63'-5"

Waiver: 26'-7"

**ITEM 15 – Docket Number: 032-15**

Applicant or Agent: Christopher E. Johnson, LADS, LLC
Property Location: 2512 Valence Street **Zip:** 70115
Bounding Streets: Valence St., Freret St., Upperline St., & S. Robertson St.
Zoning District: B-1A Neighborhood Business District
Historic District: N/A **Planning District:** 3
Existing Use: Vacant **Square Number:** 606
Proposed Use: Two-Family Residence **Lot Number:** 4
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a two-family residence with insufficient off-street parking.

Requested Waiver:**Section 15.2.1 (Table 15.A) – Off-Street Parking**

Required: 2 Spaces

Provided: 1 Space

Waiver: 1 Space



ITEM 16 – Docket Number: 033-15

Applicant or Agent: Peter Kilgust, John Williams Architects, LLC, Tom Trouve, Liz Privitera
Property Location: 3220-3222 Laurel Street **Zip:** 70115
Bounding Streets: Laurel St., Pleasant St., Annunciation St., & Harmony St.
Zoning District: RD-3 Two-Family Residential District
Historic District: Irish Channel **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 89
Proposed Use: Single-Family Residence **Lot Number:** A
Project Planner: Valerie McMillan (vamcmillan@nola.gov)

Request Citation: This request is for variances from the provisions of Article 4, Section 4.6.7 of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the construction of a single-family residence with insufficient aggregate width of side yards.

Requested Waiver:

Article 4, Section 4.6.7 – Aggregate Width of Side Yards

Required: 20% or 8'-11" Provided: 13% or 6'

Waiver: 7% or 2'-11"



ITEM 17 – Docket Number: 034-15

Applicant or Agent: Evan Alford, 1016 Gen Taylor, LLC
Property Location: 1014-1016 General Taylor Street **Zip:** 70115
Bounding Streets: General Taylor St., Camp St., Austerlitz St., & Chestnut St.
Zoning District: RD-2 Two-Family Residential District
Historic District: N/A **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 267
Proposed Use: Single-Family Residence **Lot Number:** Proposed Lot 5A
Project Planner: Editha Amacker (evamacker@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 4, Section 4.8.7 of the Comprehensive Zoning Ordinance.

Request:

This request is in conjunction with Subdivision Docket 170/14, to permit the creation of a lot with insufficient minimum lot depth and insufficient minimum lot area, which would result in an insufficient rear yard setback for an existing single-family residence.

Requested Waivers:**Section 4.5.7 (Table 4.E) – Lot Area Requirements (Single-Family Dwelling)**

Required: 4,400 sq. ft. Provided: 2,332.5 sq. ft. Waiver: 150 sq. ft.

Section 4.5.7 – (Table 4.E) Lot Depth Requirements (Single-Family Dwelling)

Required: 90' Provided: 77'-9" Waiver: 12'-3"

Section 4.5.7 (Table 4.E) – Rear Yard

Required: 20' Provided: 13'-7" Waiver: 6'-5"



ITEM 18 – Docket Number: 035-15

Applicant or Agent: Natalie Foster
Property Location: 1942-1944 Alabo Street **Zip:** 70117
Bounding Streets: Alabo St., N. Johnson St., Charbonnet St., & N. Prieur St.
Zoning District: RD-3 Two-Family Residential District
Historic District: N/A **Planning District:** 8
Existing Use: Two-Family Residence **Square Number:** 960
Proposed Use: Two-Family Residence **Lot Number:** 22
Project Planner: Larry Massey (lwmassey@nola.gov)

Request Citation: This request is to amend conditions applied in conjunction with variances previously granted by the Board, in accordance with Article 14, Section 14.8.4 of the Comprehensive Zoning Ordinance.

Request: This request is to amend conditions imposed by the Board of Zoning Adjustments in Docket 249/13, Proviso #2, which required the applicant to repair the sidewalk adjacent to the site, subject to the review and approval of the Department of Public Works.

Requested Waiver:**BZA Docket 249/13 – Proviso #2**

Imposed:

2. The applicant shall repair the sidewalk adjacent to the site, subject to the review and approval of the Department of Public Works.

Waiver:

Removal of the requirement for the restoration of the sidewalk adjacent to the site.

ALL DECISION APPEALS ARE SCHEDULED TO COMMENCE AT 1:00 P.M. OR THEREAFTER

D. Director of Safety and Permits Decision Appeals – Old Business**ITEM 19 – Docket Number: 022-15**

Applicant or Agent: Rose Brocato, Cosimo Brocato, & Justin Schmidt
Property Location: 824 7th Street **Zip:** 70115
Bounding Streets: 7th St., Laurel St., 8th St., & Annunciation St.
Zoning District: RD-3 Two-Family Residential District
Historic District: Irish Channel Local Historic District **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 92
Proposed Use: Single-Family Residence **Lot Number:** 20

Request Citation: This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 14, Section 14.5 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the Director of the Department of Safety and Permits regarding the grandfathering status of existing front yard paving and front yard parking.

E. Director of Safety and Permits Decision Appeals – Old Business

ITEM 20 – Docket Number: 036-15

Applicant or Agent:	WWTJ, LLC, Donna W. Levin, Farrel Weil, Larrie Weil		
Property Location:	913-917 Conti Street	Zip:	70112
Bounding Streets:	Conti St., Burgundy St., St. Louis St., & Dauphine St.		
Zoning District:	VCR-1 Vieux Carré Residential District		
Historic District:	Vieux Carré	Planning District:	1b
Existing Use:	Museum	Square Number:	91
Proposed Use:	Museum	Lot Number:	23 & 24

Request Citation: This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 14, Section 14.5 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the Director of the Department of Safety and Permits regarding the determination that the use of 917 Conti Street is a permitted use rather than non-conforming use.

F. Adjournment